

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SPOKANE TRIBE OF INDIANS,  
  
Plaintiff,

v.

ELIZABETH LUCE, Director,  
Washington State Department  
of Licensing,

Defendant.

NO. CV-06-0049-EFS

**ORDER GRANTING PARTIES' JOINT  
APPLICATION FOR ENTRY OF  
CONSENT DECREE AND CLOSING  
FILE**

On November 6, 2007, a hearing was held in the above-captioned matter. Scott Wheat appeared on behalf of Plaintiff Spokane Tribe of Indians. Defendant Director Elizabeth Luce was represented by Mary Tennyson. Before the Court was the parties' Joint Application for Entry of Consent Decree (Ct. Rec. 24). The parties consent to entry of the Decree solely for the purpose of settling this case before any testimony has been taken and disclaiming any liability in connection herewith. Upon reading the submitted materials, the Court was concerned with the dispute resolution language and the lack of explicit citation to statutory provisions in the Intergovernmental Agreement. Counsel advised the Court that they were satisfied with the language of the Intergovernmental Agreement and that it contained the entire agreement of the parties. Given counsel's statements on the record, the Court finds good cause to grant the Joint Application to enter a Consent Decree

1 and approve the Intergovernmental Agreement. Accordingly, **IT IS HEREBY**  
2 **ORDERED:**

3 1. This Court has jurisdiction over this action pursuant to 28  
4 U.S.C. §§ 1331 and 1362; and venue is proper in the Eastern District of  
5 Washington pursuant to 28 U.S.C. § 1391.

6 2. The Joint Application for Entry of Consent Decree (**Ct. Rec. 24**)  
7 is **GRANTED**. The Intergovernmental Agreement Regarding Fuel Tax Between  
8 the Spokane Tribe of Indians and the State of Washington (Attachment A)  
9 is **APPROVED** and is made part of this Decree as if set forth fully herein.

10 3. The Court shall retain jurisdiction over this action and the  
11 parties thereto for the purpose of enforcing this Decree.

12 4. Each party shall bear its own costs and attorneys fees in this  
13 case.

14 5. This file shall be **CLOSED**.

15 **IT IS SO ORDERED.** The District Court Executive is directed to enter  
16 this Order and provide a copy to counsel.

17 **DATED** this 6<sup>th</sup> day of November, 2006.

18  
19 S/ Edward F. Shea  
20 EDWARD F. SHEA  
United States District Judge

21 Q:\Civil\2006\0049.consent.decreed.close.wpd  
22  
23  
24  
25  
26